

CITY OF VANCOUVERREGULAR COUNCIL MEETING

A Regular meeting of the Council of the City of Vancouver was held on Tuesday, November 29, 1977, in the Council Chamber commencing at 2:00 p.m.

PRESENT: Mayor Volrich
Aldermen Bellamy, Brown, Ford, Gerard,
Gibson, Harcourt, Kennedy,
Marzari, Puil and Rankin

CLERK TO THE COUNCIL: D.H. Little

PRAYER

The proceedings in the Council Chamber were opened with prayer offered by the Civic Chaplain, the Reverend Allon Hornby, Pastor of Broadway Pentecostal Tabernacle, Vancouver.

ACKNOWLEDGEMENT

The Mayor acknowledged the presence in the Council Chamber of students from the Employment Orientation for Women Program at King Edward Campus, Vancouver Community College, under the direction of their instructor, Mrs. Penny Wolverton.

'IN CAMERA' MEETING

The Council was advised that there were matters to be considered 'In Camera' later this day.

ADOPTION OF MINUTES

MOVED by Ald. Bellamy,
SECONDED by Ald. Ford,

THAT the Minutes of the following meetings be adopted:

Special Council (Public Hearing) - November 17, 1977
Special Council - November 22, 1977
Regular Council (with the exception of the 'In Camera' portion) - November 22, 1977.

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Ald. Ford,
SECONDED by Ald. Gerard,

THAT this Council resolve itself into Committee of the Whole, Mayor Volrich in the Chair.

- CARRIED UNANIMOUSLY

DELEGATIONS

1. Grant Appeal - South Hill
Sports Association

Council received a delegation from Mr. C.P. Slavin, representing the South Hill Sports Association, appealing the decision of Council on September 13, 1977, to not approve a grant to the organization in respect of hosting the 1977 Seniors Ladies Canadian softball championship last August. The grant request was for \$3,600 towards the rental of bleachers at South Memorial Park. Mr. Slavin submitted a brief in support of his organization's appeal.

cont'd....

Regular Council, November 29, 1977 2

DELEGATIONS (cont'd)

Grant Appeal - South Hill
Sports Association (cont'd)

MOVED by Ald. Rankin,

THAT a grant of \$3,600 be approved to the South Hill Sports Association.

- LOST NOT HAVING
RECEIVED THE REQUIRED
MAJORITY

(Aldermen Brown, Ford, Gerard, Kennedy and Puil opposed)

MOVED by Ald. Gerard,

THAT a grant of \$2,600 be approved to the South Hill Sports Association.

- CARRIED BY THE
REQUIRED MAJORITY

(Aldermen Brown and Puil opposed)

2. Smilin' Buddha Cabaret -
109 East Hastings Street

Council on November 3, 1977, approved the recommendation in a report of the Community Services Committee dated October 27, 1977, that the owner/operator of the Smilin' Buddha Cabaret, Mr. Lachman Dass Jir, appear before Council to show cause why his license should not be revoked.

Mr. Macey, Solicitor for Mr. Jir, addressed Council this day and was of the opinion that insufficient consideration had been given to a proper hearing for his client so that allegations previously stated could be examined. If Council would not grant a judicial type hearing, Mr. Macey requested that a probationary period be granted Mr. Jir in order to fix up his premises and permit administrative improvements in its operation.

MOVED by Ald. Rankin,

THAT this whole matter be deferred to the second Council meeting in January, 1978, at which time, the Council intends to hear and determine the matter more fully;

FURTHER THAT Council instructs the appropriate officials to report to that Council meeting on the following:

- (a) that the Smilin' Buddha Cabaret is being operated in an acceptable manner considering its location;
- (b) that there are no offences of a serious nature included under the Liquor Act;
- (c) that the sanitary and like health conditions prevailing in the building are satisfactory to the Medical Health Officer.

- CARRIED UNANIMOUSLY

3. 958 Bute Street -
Strata Title Conversion

Council on November 22, 1977, on a request received from Mr. Horst Dammholz, agreed to him addressing Council on a strata title conversion proposal for 958 Bute Street.

Council noted a report of the Manager dated November 24, 1977, in which the Director of Legal Services and the Director of Planning submitted some details on Mr. Dammholz's application.

cont'd....

DELEGATIONS (cont'd)958 Bute Street - Strata
Title Conversion (cont'd)

Mr. Dammholz, in submitting his brief this day, requested an interpretation of the 'building substantially complying with the various by-laws'.

Following questions submitted to the Director of Permits and Licenses and the City Building Inspector, it was advised that no approach had been made to the Department to determine what is required for the building to comply with the City's by-laws. After due consideration, it was

MOVED by Ald. Rankin,

THAT this matter be referred to the Director of Permits and Licenses to arrange with Mr. Dammholz for a building inspector to examine the building and advise the applicant the basic requirements necessary to have the building conform to the Strata Titles Act and, if required, submit a report on the matter to Council.

- CARRIED UNANIMOUSLY

4. King George High School - Block 80
Proposed Heritage Designation By-law

It was noted that consideration of this item will be given after the hearing of delegations later this day.

COMMUNICATIONS OR PETITIONS

1. Request Approval for Liquor
Permit for Christmas Market -
Circle Craft Co-operative

A letter dated November 23, 1977, from the Circle Craft Co-operative was noted requesting approval for a liquor license for the organization's 5th Annual Christmas Market to be held at the Vancouver East Cultural Centre, December 1 to 21, 1977. Council had approved a similar request last year.

The organization advised that the Liquor Control and Licensing Branch had turned down the liquor license request because the proceeds were for private enterprise.

MOVED by Ald. Marzari,

THAT the request be approved subject to the following conditions, and the Liquor Control and Licensing Branch be advised that the Council has no objection to the issuance of a liquor license to this organization:

- (a) Approval by the Chief Constable
- (b) Any food concessions to be approved by the City Health Department
- (c) Applicant obtaining all necessary permits including a special event liquor permit from the Liquor Control and Licensing Branch
- (d) Proper supervision by the organizers.

- CARRIED UNANIMOUSLY

Regular Council, November 29, 1977 4

COMMUNICATIONS OR PETITIONS (cont'd)

2. Team Policing - District 2

Under date of November 18, 1977, the Vancouver Police Board submitted the following letter:

I wish to advise you of the following resolution passed by the Vancouver Police Board at the meeting of November 9, 1977:

"The Chief Constable submitted a report on the proposed implementation of Team Policing in District 2. He advised that in March 1977 the Board had approved Team Policing for the whole city with District 4 commencing on April 1, 1977, District 2 on April 1, 1978 and District 1 on October 1, 1978.

Inspector D. MacLeod explained the District 2 Team Policing proposal to the Board.

The Chief Constable requested the approval of the Board for the following recommendations contained in the report with the question of the five additional corporals being submitted to City Council for consideration.

1. That effective April 1, 1978 the authorized strength of the Force be increased by 5 Corporals and decreased by five Constables.
2. That effective January 1, 1978 one Sergeant's position (Operations Co-ordinator) be transferred within the Bureau of Field Operations from Patrol Division South to Patrol Division North.
3. That effective January 28, 1978, one Sergeant's position be transferred on loan from the Bureau of Staff Operations to the Bureau of Field Operations.
4. That effective February 5, 1978 eight Detectives be transferred from the Bureau of Staff Operations to the Bureau of Field Operations.

Moved:

'THAT the recommendations contained in the District II Team Policing Proposal be approved and,

FURTHER THAT copies of the Proposal be forwarded to City Council requesting approval of the five additional Corporal ranks prior to approval of the 1978 Police budget.'

Carried."

MOVED by Ald. Harcourt,

THAT the foregoing request of the Vancouver Police Board be approved.

- CARRIED UNANIMOUSLY

3. Pedestrian Actuated Signal
on 4th Avenue at Blenheim

A letter dated November 25, 1977, from the Bayview Community School was noted requesting that an item in the Transportation Committee's report of November 24, 1977, concerning a proposed traffic light on Blenheim and 4th Avenue, be deferred to permit the organization to address Council on December 13th. The report would normally be considered by Council on December 6, 1977.

MOVED by Ald. Marzari,

THAT the foregoing request from the Bayview Community School be approved.

- CARRIED UNANIMOUSLY

Regular Council, November 29, 1977 5

COMMUNICATIONS OR PETITIONS (cont'd)

4. Request for Temporary Space at
City Hall - Canada Work Week

The following letter dated November 29, 1977, was submitted by the Mayor:

"I have received a request from Mrs. Norma Sharp, British Columbia Chairman of the Canada Week Committee, concerning the possibility of vacant City Hall space being provided as headquarters for the efforts of this group between January and June 1978.

The Canada Week Committee has been in existence approximately a dozen years. Not only has it served a very important purpose throughout its period of existence, given the current situation it is serving a very vital purpose.

I am advised that there is a surplus of unused space within City Hall which could be made available to the Canada Week Committee.

Because of the nature and purpose of this group I RECOMMEND that the Council approve the granting of an appropriate surplus office for the use of the Canada Week Committee."

MOVED by Ald. Harcourt,

THAT the foregoing recommendation of the Mayor be approved.

- CARRIED UNANIMOUSLY

CITY MANAGER'S REPORTS

A. MANAGER'S GENERAL REPORT
NOVEMBER 25, 1977

Works & Utility Matters
(November 25, 1977)

The Council considered this report which contains five clauses identified as follows:

- Cl. 1: Boundary Road Overpass at Vanness Avenue
- Cl. 2: Hastings Street Viaduct Replacement
- Cl. 3: Closure - Portion of Lane North of Kingsway West of Dumfries
- Cl. 4: Grant Request - Rental of Festoon Lights to 1977 Christmas Carol Ship Committee
- Cl. 5: Tender Awards

Clauses 1, 2, 3 and 5

MOVED by Ald. Gibson,

THAT the recommendations of the City Manager contained in Clauses 1, 2 and 3 be approved and Clause 5 be received for information.

- CARRIED UNANIMOUSLY

Grant Request - Rental of Festoon Lights
to 1977 Christmas Carol Ship Committee
(Clause 4)

MOVED by Ald. Gibson,

THAT the recommendation of the City Manager contained in this Clause be approved;

FURTHER THAT a grant of up to \$600 for the rental of approximately 2,500 feet of festoons to the 1977 Christmas Carol Ship Committee, be approved.

- CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

Regular Council, November 29, 1977 6

CITY MANAGER'S REPORTS (cont'd)

Social Service & Health Matters
(November 25, 1977)

Noise Control By-law
(Clause 1)

MOVED by Ald. Marzari,
THAT the recommendation of the City Manager contained in
this Clause be approved.

- CARRIED UNANIMOUSLY

Building & Planning Matters
(November 25, 1977)

The Council considered this report which contains three
clauses identified as follows:

- Cl. 1: D.P.A. - 3519 Point Grey Road
- Cl. 2: Dunbar Village Co-operative - 2nd and Wallace
Soil Condition Problem
- Cl. 3: Temporary Accommodations for Police Patrol
Division North

D.P.A. - 3519 Point Grey
Road (Clause 1)

MOVED by Ald. Gibson,
THAT this Clause be received for information.

- CARRIED UNANIMOUSLY

Dunbar Village Co-operative -
2nd Avenue and Wallace - Soil
Condition Problem (Clause 2)

MOVED by Ald. Puil,
THAT a grant in the amount of \$8,100 to the Dunbar Village
Co-operative for the purpose set out in the Manager's report
be not approved.

- CARRIED

(Aldermen Gerard, Harcourt, Kennedy, Marzari and
Rankin opposed)

Temporary Accommodations for
Police Patrol Division North
(Clause 3)

MOVED by Ald. Gerard,
THAT the recommendation of the City Manager contained in
this Clause be approved.

- CARRIED UNANIMOUSLY

Licenses & Claims Matters
(November 25, 1977)

Neutering Dogs Sold by
City Pound (Clause 1)

MOVED by Ald. Bellamy,
THAT the recommendation of the City Manager contained in
this Clause be approved.

- CARRIED UNANIMOUSLY

Regular Council, November 29, 1977 7

CITY MANAGER'S REPORTS (cont'd)

Finance Matters
(November 25, 1977)

Meter Checker Program
(Clause 1)

MOVED by Ald. Puil,
THAT the recommendation of the City Manager contained in
this Clause be approved.

- CARRIED UNANIMOUSLY

Property Matters
(November 25, 1977)

The Council considered this report which contains five
clauses identified as follows:

- Cl. 1: Residential Tenancy Act, Section 9(11)
Long Term Leases
- Cl. 2: Cancellation of Lease, 1581-1585 West 4th Avenue
- Cl. 3: Demolition of Buildings - 1923, 1927 and 1975
Granville and 1501-1515 West 4th Avenue
- Cl. 4: McLaren Electric Building, 2151 Burrard
Lease of Portion of Second Floor
- Cl. 5: Sale of City Lands to Government of Canada

Clauses 1, 2, 3, 4 and 5

MOVED by Ald. Kennedy,
THAT the recommendations of the City Manager contained in
Clauses 1, 2, 3, 4 and 5 be approved.

- CARRIED UNANIMOUSLY

B. Huntington Apartments
1915 Beach Avenue

The City Manager in a report dated November 24, 1977,
submitted reports from the Director of Planning and the Director
of Social Planning on an application from Mr. S.G.N. Presley
to convert this 41 suite, three storey, steel reinforced concrete
and masonry apartment building from rental to strata title
ownership. The report concluded with the following recommendation:

"This application be approved, thereby permitting the
conversion of the premises at 1915 Beach Avenue to Strata
Title ownership (41 Strata lots) on the understanding
that four existing elderly tenants will be permitted to
remain in their suites, and subject to the following
condition:

That a Certificate of Approval (Form #10) shall
not be issued by the Approving Officer until this
building substantially complies with the applicable
City By-laws to the satisfaction of the City
Building Inspector and at no cost to the City."

Mr. S.G. Presley, the applicant, answered questions from
Council on this matter. Reference was made by members of Council
to a letter dated November 28, 1977, circulated this day from a
number of residents of the Huntington. This letter specifically
requested that the necessary repairs be done before tenants must
exercise their option to purchase. A request was also made that
the tenants who do not purchase, be allowed to retain tenancy of
their apartments longer than the usual 120 days.

cont'd....

Regular Council, November 29, 1977 8

CITY MANAGER'S REPORTS (cont'd)

Huntington Apartments
1915 Beach Avenue (cont'd)

MOVED by Ald. Gibson,
 THAT the recommendation of the City Manager contained in
 his report dated November 24, 1977, be approved.

(For Council Action, see page 10)

Mr. Devlin, a developer, addressed Council and advised that
 he had submitted to Mr. Presley, on behalf of the Huntington
 residents, an offer to strata title the apartment at a far lower
 cost to the tenants than Mr. Presley's offer. He had also
 stated that all of the present tenants of the apartment will be
 permitted to remain.

Reference was made to a statement from Mr. Presley on costs
 and estimated profits from this development. Council agreed to
 adjourn this matter to later in the day and requested in the
 meantime that the City Manager circulate to Council members the
 figures supplied by Mr. Presley.

- - - - -

The Council recessed at approximately 3:55 p.m., and following
 an 'In Camera' meeting in the Mayor's Office, reconvened in open
 session in the Council Chamber at approximately 4:55 p.m.

- - - - -

DELEGATIONS (cont'd)

King George High School - Block 80
Proposed Heritage Designation By-law

Council on October 25, 1977, after considering a report from
 the Administration on the new Heritage Conservation Act, passed
 the following motion:

"THAT

- (a) the Director of Legal Services be instructed to bring
 forward a by-law to designate as a municipal heritage
 site the King George High School, Block 80 and the
 land on which it sits;
- (b) Council instruct the Mayor to strike a Committee to
 negotiate with the owners of Block 80 in an effort
 to reach a settlement before November 29, 1977, the
 outcome of the negotiation to be before Council for
 consideration on or before the public hearing
 scheduled for November 29, 1977."

At the same meeting, Council gave first reading to a by-law
 designating the King George High School and the surrounding lands
 contained within Block 80, District Lot 541 a municipal heritage
 site. Further consideration of the by-law was deferred pending
 the public hearing.

Before Council this day were the following:

- (i) letter dated November 22, 1977, from the Board of School
 Trustees
- (ii) letter dated November 15, 1977, from the Downtown
 Business Association;
- (iii) extract from the Council Minutes of November 8, 1977;
- (iv) By-law;
- (v) Manager's report dated November 28, 1977, on heritage
 designation of Block 80, D.L. 541 - King George School
 Site.

cont'd....

Regular Council, November 29, 1977 9

DELEGATIONS (cont'd)

King George High School - Block 80
Proposed Heritage Designation By-law
(cont'd)

Council heard representations from the following:

- Mr. Clyne, representing the School Board, reiterated the School Board's position as set out in its November 22, 1977 letter to Council. He reviewed the history of the negotiations with B.C. Hydro on leasing of this land to the Crown Corporation, and further stated that statutorily, the School Board is precluded from spending large sums of money on renovations such as the King George High School. He also quoted sections of the Public Schools Act to illustrate that the Board does not have fiscal autonomy with respect to capital expenditures.
- Mr. Mitchell, representing B.C. Hydro, advised Council he was available to answer any questions from Council.
- Mrs. Tunya Audain, 2267 Kings Avenue, West Vancouver, addressed Council and filed a brief which reviewed the facts related to this building and urged Council to do what it can to ensure the retention of the School and restore it to its former distinction.
- Mrs. Fleming, Chairman of the Heritage Advisory Committee, stated the Committee has valid reasons for recommending designation of this building. She also stated that the members of the Committee are eminently qualified to make decisions on recommended heritage designations. She further advised that she has been advised by the Provincial Government Legislative Council that the City would only be liable for damages if it instituted a process to thwart the sale of a building because of its heritage.
- Professor McLeod, member of the Heritage Advisory Committee, also urged Council to designate the King George High School as a heritage structure.
- Trustee Pam Glass, School Board, stated the Board had planned to use some of the proceeds from the sale of Block 80 to upgrade present school buildings.
- Mr. Hamilton, a citizen, stated he was opposed to the designation and suggested a number of other Vancouver citizens would also be opposed.
- Mrs. Symonds, Executive Co-ordinator, Vancouver City Planning Commission, reaffirmed the position of the V.C.P.C. of supporting the Heritage Advisory Committee's recommendation, and also the Commission's suggestion that as B.C. Hydro is a public utility, it should not be beyond its bounds to find some way of meeting the wishes of the citizens with respect to designation of the King George High School.

Circulated to Council were telegrams from Mrs. Mary T. White, Heritage Canada Governor B.C. and Yukon and Elizabeth Okiely, Chairman of the Community Arts Council Heritage Committee supporting the designation of the King George High School as a heritage structure.

MOVED by Ald. Bellamy,
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Bellamy,
SECONDED by Ald. Gerard,
THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

cont'd....

Regular Council, November 29, 1977 10

DELEGATIONS (cont'd)

King George High School - Block 80
Proposed Heritage Designation By-law
(cont'd)

At this point, Council considered a By-law to designate King George High School and the surrounding lands contained within Block 80, D.L.541, a municipal heritage site. It was noted that this By-law was given a first reading on October 25, 1977, and second and third readings deferred to follow the preceding hearing procedures on the proposed designation of the King George High School site as a heritage site.

MOVED by Ald. Puil,
SECONDED by Ald. Gerard,

THAT Council not proceed with the second and third readings of this By-law.

- Carried

(Aldermen Brown, Ford, Gibson, Marzari and Rankin opposed)

MOVED by Ald. Brown,
SECONDED by Ald. Gibson,

THAT the above motion be deferred for two weeks to permit Council to obtain clarification of the Heritage Conservation Act and all other relevant facts.

- LOST

(Aldermen Bellamy, Gerard, Harcourt, Kennedy, Puil and the Mayor opposed)

The motion to defer having lost, the motion by Alderman Puil and Gerard was put and CARRIED.

MOVED by Ald. Marzari,
SECONDED by Ald. Rankin,

THAT the City withhold issuance of the demolition permit for this site to the full extent provided for within the Heritage Conservation Act.

- CARRIED

(Aldermen Bellamy, Gerard, Kennedy, Puil and the Mayor opposed)

MOVED by Ald. Puil,
SECONDED by Ald. Harcourt,

THAT this Council resolve itself into Committee of the Whole, Mayor Volrich in the Chair.

- CARRIED UNANIMOUSLY

CITY MANAGER'S REPORTS (cont'd)

Huntington Apartments
1915 Beach Avenue (cont'd)

Earlier in the proceedings, Council adjourned its deliberations on this matter to provide an opportunity for Council to receive copies of Mr. Presley's statement on costs and estimated profits from this development. This material was circulated to Council.

Mr. Presley advised Council that he would be willing to allow the present tenants six months' tenancy if they did not purchase their apartments rather than the usual 120 days.

The question was put on the previous motion of Alderman Gibson that the recommendation of the City Manager contained in his report dated November 24, 1977, be approved and was CARRIED UNANIMOUSLY.

Regular Council, November 29, 1977 11

CITY MANAGER'S REPORTS (cont'd)

C. Sidewalks on Chestnut Street

MOVED by Ald. Harcourt,
THAT the recommendation of the City Manager contained in
his report dated November 22, 1977, be approved.

- CARRIED UNANIMOUSLY

D. Lease of Long Term Care Staff
Accommodation - 828 West 8th
Avenue

MOVED by Ald. Gibson,
THAT the recommendation of the City Manager contained in
his report dated November 22, 1977, be approved.

- CARRIED UNANIMOUSLY

STANDING COMMITTEE REPORTS

I. Report of Standing Committee
on Community Services,
November 17, 1977

The Council considered this report which contains four
clauses identified as follows:

- Cl. 1: Minimum and Maximum Fines - By-laws
- Cl. 2: Liquor Permit Application - 775 Davie Street
- Cl. 3: Liquor Permit Application - 1170 Hornby Street
- Cl. 4: Jericho Hangar No. 5

Clauses 1, 2 and 3

MOVED by Ald. Rankin,
THAT the recommendations of the Committee contained in
Clauses 1, 2 and 3 be approved.

- CARRIED UNANIMOUSLY

Jericho Hangar No. 5
(Clause 4)

MOVED by Ald. Rankin,
THAT the recommendation of the Committee contained in this
Clause be approved;

FURTHER THAT the City Manager examine any proposals for
leasing of Hangar No. 5 received by the City for report back
to the Community Services Committee.

- Carried

(Aldermen Brown, Gerard and Gibson opposed)

MOVED by Ald. Brown in amendment,
THAT the following be added to Alderman Rankin's motion:

"AND FURTHER THAT the City advise potential user groups
for Hangar No. 5 that it will not commit funds for
capital improvements or operating funds."

- LOST

(Aldermen Bellamy, Harcourt, Kennedy, Marzari, Puil
and Rankin opposed)

The amendment having lost, the motion by Alderman Rankin
was put and CARRIED.

Regular Council, November 29, 1977 12

G.V.R.D. Matters

There were no comments with respect to G.V.R.D. matters insofar as the Regional District meeting for November 30, 1977, is concerned.

COMMITTEE OF THE WHOLE

MOVED by Ald. Harcourt,
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Harcourt,
SECONDED by Ald. Puil,
THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

BY-LAWS

1. BY-LAW TO AMEND BY-LAW NO. 3334,
BEING THE SUBDIVISION CONTROL
BY-LAW

MOVED by Ald. Harcourt,
SECONDED by Ald. Brown,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Harcourt,
SECONDED by Ald. Brown,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

2. BY-LAW TO DESIGNATE KING GEORGE HIGH
SCHOOL AND SURROUNDING LANDS CONTAINED
WITHIN BLOCK 80, D.L. 541, A MUNICIPAL
HERITAGE SITE

For Council action on this By-law see page 8.

3. BY-LAW TO AMEND BY-LAW NO. 3575,
BEING THE ZONING AND DEVELOPMENT
BY-LAW (FM-1 District)

MOVED by Ald. Puil,
SECONDED by Ald. Bellamy,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

cont'd....

Regular Council, November 29, 1977 13

BY-LAWS (cont'd)

BY-LAW TO AMEND BY-LAW NO. 3575,
BEING THE ZONING AND DEVELOPMENT
BY-LAW (FM-1 District) (cont'd)

MOVED by Ald. Puil,
SECONDED by Ald. Bellamy,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

4. BY-LAW TO AMEND BY-LAW NO. 3575,
BEING THE ZONING AND DEVELOPMENT
BY-LAW (115-121 Keefer Street)

MOVED by Ald. Rankin,
SECONDED by Ald. Gibson,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Rankin,
SECONDED by Ald. Gibson,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

MOTIONS

A. Closing, Stopping Up, Conveying to
Abutting Owner & Consolidated with
Abutting Lands (Lane North of
Kingsway, West of Dumfries Street)

MOVED by Ald. Brown,
SECONDED by Ald. Gerard,
THAT WHEREAS

- (1) The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
- (2) The lane shown on Plan 2441 (see Composite Plan 6461) adjacent to Lots 3 to 7 of Subdivision 6, Blocks 2 and 4, District Lot 352, Plan 6461, is no longer required for lane;
- (3) The owner of the abutting property wishes to acquire this portion of lane;

THEREFORE BE IT RESOLVED THAT all the lane shown on Plan 2441 (see Composite Plan 6461) lying between the production northerly of the easterly limit of Lot 7 of Subdivision 6, Block 2 and 4, District Lot 352, Plan 6461 and the production northerly of the westerly limit of Lot 3 of said Subdivision 6. The same as shown outlined red on a plan prepared by Noel E. Peters, B.C.L.S. dated October 18, 1977, a print of which is hereunto annexed, be closed, stopped up and conveyed to the abutting owner; and

FURTHER BE IT RESOLVED THAT the aforementioned portion of lane, now closed, be consolidated with the abutting lands.

- CARRIED UNANIMOUSLY

Regular Council, November 29, 1977 14

MOTIONS (cont'd)

1. Conservation of Energy - Housing
Development Demonstration Project

MOVED by Ald. Kennedy,
SECONDED by Ald. Brown,

THAT WHEREAS recent reports suggest that solar space and water heating should be cost-competitive for single family homes within five to ten years;

AND WHEREAS in multi-family buildings, the comparative performance of solar heating is improved through economies of scale;

AND WHEREAS solar heating constitutes a non-polluting renewable technology;

AND WHEREAS other Government and private agencies are actively involved in research and development of solar space and water heating systems;

THEREFORE BE IT RESOLVED THAT the National Research Council or other agencies be asked to collaborate with the City of Vancouver to ensure that at least one housing development be designed as a demonstration project and equipped with solar space and water heating in an effort to determine the extent to which this form of heating can contribute to the solving of the growing energy crisis;

FURTHER BE IT RESOLVED THAT the City's officials be asked to study the technical, taxation, legal and financial factors arising from this proposal with a view to reporting at a later date on its feasibility;

AND FURTHER BE IT RESOLVED THAT a federal grant be requested to pay for the innovative features and special studies required to create a successful demonstration project in Vancouver.

- CARRIED UNANIMOUSLY

2. Proposed LRT System

MOVED by Ald. Rankin,

THAT WHEREAS rapid transit between Surrey, New Westminster, Burnaby and Downtown Vancouver is vital to the future of these communities;

AND WHEREAS the people of these communities are growing more and more intolerant about the increased vehicle movement to transport people about these communities during rush hour for working purposes;

AND WHEREAS the roads used to transport these people are carving up residential areas and destroying the liveability of the region;

AND WHEREAS the town centre concept of the Liveable Region Plan depends on the LRT system;

AND WHEREAS the G.V.R.D. has made every effort to work with the Provincial Government to set up a Regional Transportation Authority and get LRT started with some funding help from the Provincial Government;

AND WHEREAS the Provincial Government has shown in the last two months that it has no intention of establishing rapid transit in the G.V.R.D. area because of its commitment on expanded highway program, namely, one quarter of a billion dollars on the Coquihalla route and, more importantly, a \$180 million commitment for Annacis Island crossing, which if it does go ahead, will set back the possibility of LRT in the immediate future;

cont'd....

Regular Council, November 29, 1977 15

MOTIONS (cont'd)

Proposed LRT System
(cont'd)

AND WHEREAS the people of these municipalities are not happy with the municipalities telling them that the problem lies with senior governments and they want the municipalities to do something about the problem themselves;

AND WHEREAS the G.V.R.D. does not have the power to take action on a Light Rapid Transit system and the municipalities do have the spending power, providing they consult the people;

AND WHEREAS to prepare detailed engineering feasibility studies and to search out the title and cost of the land and properly cost the LRT system will take somewhere between one and two years;

AND WHEREAS the cost of these studies will be in the order of \$1 million to \$3 million;

THEREFORE BE IT RESOLVED THAT Vancouver petition the Burnaby Council, the New Westminster Council and the Surrey Council to allocate, based on their per capita populations, sufficient funds to carry out the engineering studies to properly locate and cost the proposed LRT system and when this is done, to put a referendum to the people of their communities telling them the cost and location of the LRT system and asking for their approval to raise 1/4 of the capital funds required to build the system, while calling on the Provincial and Federal Governments to raise the balance of the monies.

(Deferred)

Council also noted the following Notice of Motion submitted by Alderman Kennedy on this topic, and which was recognized by the Chair:

MOVED by Ald. Kennedy,

THAT WHEREAS no commitment has been received from the Provincial Government to finance Rail Rapid Transit from Vancouver to New Westminster, Surrey and beyond;

AND WHEREAS buses have the advantage of carrying passengers to their destinations without transfers from road to rail and vice versa;

AND WHEREAS costs are likely to be much lower than for Rail Rapid Transit which carry high development costs at change-stations;

AND WHEREAS an exclusive bus-way-truck corridor can be created by paving existing rights-of-way on the general alignment of Kingsway, which route can conveniently be fed by buses from the Vancouver street system;

AND WHEREAS fast non-stop buses can be combined with short-stop buses running alongside, together with an exclusive new auxiliary truck route;

AND WHEREAS the proposed system lends itself to economic staging during the years of increasing ridership;

THEREFORE BE IT RESOLVED THAT the Provincial Government be asked by G.V.R.D. to report on the feasibility and cost of an interim system of bus-Rapid Transit which would be capable of conversion to a rail-rapid system at an appropriate date.

(Deferred)

cont'd....

Regular Council, November 29, 1977 16

MOTIONS (cont'd)

Proposed LRT System

Also before Council was a letter dated November 26, 1977, from the Committee of Progressive Electors requesting that Alderman Rankin's motion be deferred to the evening of Tuesday, December 6, 1977, to permit full citizen participation.

The Mayor advised that a request had also been received from the Killarney-Champlain Citizens for Action to defer Alderman Rankin's motion to the evening of December 13th, to permit delegations.

Reference was made to a meeting between Council and the Minister of Municipal Affairs on December 14, 1977, on transportation.

MOVED by Ald. Gerard,
SECONDED by Ald. Puil,

THAT consideration of the foregoing two motions be deferred to a public meeting on transportation to be held in January, 1978.

- CARRIED

(Aldermen Harcourt, Marzari and Rankin opposed)

NOTICE OF MOTION

The following Notice of Motion submitted by Alderman Bellamy was recognized by the Chair:

2nd Avenue and Wallace

MOVED by Ald. Bellamy,

THAT WHEREAS the site at 2nd and Wallace has created deep concern and outrage from citizens living in the area; and

WHEREAS the major developer of one of the proposals for this site has withdrawn his plans;

THEREFORE BE IT RESOLVED THAT before any new proposal is considered for the remaining land on this same site, the citizens of the area be given every opportunity to full and early participation in the planning process of any development that may be considered for this site.

(Notice)

The following Notice of Motion submitted by Alderman Rankin and seconded by Alderman Marzari, was recognized by the Chair:

Rezoning of School and Park
Site to be known as Public Use

MOVED by Ald. Rankin,
SECONDED by Ald. Marzari,

THAT Council direct the Director of Legal Services and the Director of Planning to submit a report to Council on the legal and planning implications of rezoning all school and park sites etc., to a land use designation to be known as public use.

(Notice)

Regular Council, November 29, 1977 17

ENQUIRIES AND OTHER MATTERS

Alderman Marzari -
Relocation of Art Gallery
in the Old Court House

advised that the requested study on the relocation of the Art Gallery in the Old Court House is now ready, and

MOVED by Ald. Marzari,

THAT the study on the relocation of the Art Gallery to the Old Court House be presented to the Standing Committee on Finance and Administration on December 8, 1977.

- CARRIED UNANIMOUSLY

Alderman Bellamy -
Capilano Stadium - Lease
for Professional Baseball

referred to a proposal by Mr. Harry Ornest to upgrade and lease Capilano Stadium for a franchise in the Pacific Coast Baseball League in 1978. Mr. Ornest had approached the Park Board for financial aid towards lighting the Stadium. The Board had approved \$25,000 towards a new lighting system.

Alderman Bellamy queried if the City could assist Mr. Ornest with this project.

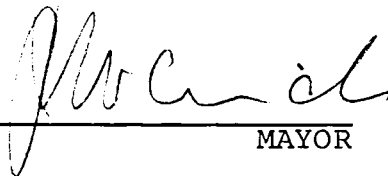
The Mayor advised that Mr. Ornest should request the Park Board to make a presentation to Council on this matter.

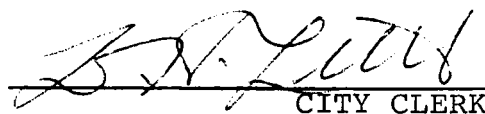
- - - - -

The Council adjourned at approximately 7:50 p.m.

- - - - -

The foregoing are Minutes of the Regular Council Meeting of November 29, 1977, adopted on December 6, 1977.


 MAYOR


 CITY CLERK

MANAGER'S REPORT

November 24, 1977

TO: Vancouver City Council

SUBJECT: Strata Title Application - 958 Bute Street

CLASSIFICATION: INFORMATION

The Director of Legal Services and the Director of Planning submit the following report pursuant to the attached letter dated November 7, 1977, from Horst Dammholz Realty Limited:

"We understand that Mr. Dammholz, the applicant, has applied to construct a new building at 958 Bute Street. There is an existing apartment building on the site and the new building and the existing building will be connected. He wishes to sell the suites in the new building as strata lots but retain the existing building as one strata lot. The suites in the existing building will continue to be rented.

The problem is that the Strata Titles Act under Section 5(1) provides that if a previously occupied building is converted into strata lots there must be an approval by "approving authority". The "approving authority" may refuse or approve on such terms as they consider appropriate. The "approving authority" is City Council. In addition under Section 5(2)(a) the buildings must comply substantially with the applicable by-laws of the City.

It appears that it is the contention of the applicant that it would be inappropriate, at this stage of his proposed development, to be required to comply with the provisions of Section 5 of the Strata Titles Act.

The approval process by Council involves discretionary and mandatory components as follows:

1. Discretionary Provisions - In exercising its discretionary authority Council shall consider:
 - (i) the priority of rental accommodation over privately owned housing in the area;
 - (ii) the proposals of the owner-developer for the relocation of persons occupying the buildings;
 - (iii) the life expectancy of the buildings; and
 - (iv) projected major increases in maintenance costs due to the condition of the buildings; and may consider any other matters that, in its opinion, are relevant.

In this instance the applicant intends to maintain the status quo as far as the existing building is concerned and presumably feels that Council should not have to take into consideration the requirements of the Strata Titles Act. The problem is that once the building has been converted into a strata lot the building can subsequently be divided into individual strata lots for each suite without the consent of Council. At that time Council would not be able to take into consideration the requirements of the Act and in particular the wellbeing of the tenants of the building.

This problem could be handled by approving the conversion subject to the applicant providing a covenant pursuant to section 24A of the Land Registry Act which would provide that once the property has been created as a strata lot that it will continue to be used only as a single lot and would not be subdivided without the consent of Council which will have regard for the provisions of the Strata Titles Act in granting such consent.

2. Mandatory Provisions - Section 5(2) provides that the approving authority shall not approve the conversion unless the buildings included in the strata plan substantially comply with the applicable by-laws of the municipality (i.e. Building By-Law, Fire By-Law, etc.). If this building does not substantially comply with the by-laws then the Council does not have the power to approve the conversion no matter what the particular circumstances of this proposed conversion involve. Council also does not have the power to enter into an agreement with the applicant to postpone compliance with these provisions of the Act.

In summary:

- (a) If the building substantially complies with the various by-laws with respect to construction then Council has the power to approve the conversion and in doing so can protect the tenants and comply with the spirit of the Strata Titles Act by registering a section 24A covenant to prevent future subdivision without its consent.
- (b) If the building does not substantially comply with the by-laws with respect to construction Council does not have the power to approve the conversion."

The City Manager submits the foregoing report of the Director of Legal Services and the Director of Planning for Council's INFORMATION.

FOR COUNCIL ACTION SEE PAGE(S) 632

MANAGER'S REPORT, NOVEMBER 25, 1977 (WORKS: A-1 -1)

WORKS AND UTILITY MATTERS
CITY ENGINEER'S REPORT

RECOMMENDATION

1. Boundary Road Overpass at Vanness Avenue

The City Engineer reports as follows:

"At its meeting of June 1, 1976, Council authorized the City Engineer to arrange for the modification of the bridge carrying B.C. Hydro Railway tracks over Boundary Road so it would be safer for pedestrian and vehicle traffic on Boundary Road. B.C. Hydro had agreed to contribute \$20,000 towards the cost, estimated at \$225,000, 1976 dollars, and Vancouver and Burnaby had agreed to share the balance on a 50/50 basis and \$102,500 was approved by Council for the City's share.

Tenders were called recently by B.C. Hydro and the low bid was \$68,000 more than estimated and increases the City's portion by \$34,000. Burnaby has already agreed to accept their share of the increase and the City has funds available in Account 148/7932 - Boundary Road Local Improvement, for its share.

I recommend that the sum of \$34,000 be transferred from Account 148/7932 to Account 147/6803 to cover the City share of the increased cost of modifications to the Boundary Road Overpass and that B.C. Hydro be so notified."

The City Manager RECOMMENDS that the foregoing recommendation of the City Engineer be approved.

2. Hastings Street Viaduct Replacement

The City Engineer reports as follows:

"At its meeting of March 8, 1977, Council authorized the City Engineer to carry out preliminary work and design for the new Hastings Viaduct. Funds for the replacement costs were approved in the current Five-Year Plan for capital works. The amount of \$2,000,000 is included in our proposed 1978 Basic Streets Capital Budget for construction.

In order to avoid costly construction delays and to ensure realistic bidding by contractors, the engineering consultant has recommended that the City purchase and stockpile certain construction materials as soon as possible. These materials have lengthy delivery times which would delay construction after the award of a contract. This cost is estimated to be \$400,000. Construction is scheduled for 1978 and funds are required in advance of the 1978 Capital Budget so the material can be purchased now. It is probable that payments would not be made until early in 1978.

The source of funds for this expenditure within the 1978 Basic Capital Budget will be borrowed funds under the authority of the 1977-81 Capital Program Plebiscite.

I recommend that the sum of \$400,000 for the new Hastings Street Viaduct be approved in advance of the 1978 Basic Capital Budget and that the City Engineer be authorized to arrange, in consultation with the Purchasing Agent, for the purchase of these construction materials."

The City Manager RECOMMENDS that the above recommendations of the City Engineer be approved.

* * * * *

Continued

MANAGER'S REPORT, NOVEMBER 25, 1977 (WORKS: A-1 -2)

3. Closure of Portion of the Lane North of Kingsway West of
Dumfries Street, Adjacent to Lots 3 to 7 of Lot 6, Blocks
2 and 4, District Lot 352, Plan 6461

The City Engineer and Director of Planning report as follows:

"On September 27, 1977, at Public Hearing, Council approved the rezoning of Lots 8, 9 and 10 of Lot 6, Blocks 2 and 4, District Lot 352, Plan 6461, subject to the following conditions:

- (a) That portion of the City lane lying between Lot 8 and Lots 3 to 7 inclusive is first acquired and a satisfactory turn-around established to service Lots 1 and 2 that front on Kingsway to the approval of the City Council after a report thereon from the City Engineer.
- (b) That Lots 3 to 7 inclusive, Blocks 2 and 4, D.L. 352 and the closed and stopped up portion of the City lane are first consolidated into one parcel and so registered in the Land Registry Office.

'The Director of Planning reports that through an error in the preparation of the agenda for that Public Hearing, condition (b) was incorrectly spelled out and should have read the same as was set out as a recommendation of approval in the Manager's Report dated July 8, 1977,' which is 'That Lots 3 to 10 inclusive Blocks 2 and 4, D.L. 352 and the closed and stopped up portion of the City lane are first consolidated into one parcel and so registered in the Land Registry Office.'

The Director of Planning recommends that condition (b) as contained in the Minutes of the Public Hearing of September 27, 1977 be amended to read as noted above.

The above requires the closure of portion of the lane north of Kingsway west of Dumfries Street adjacent to Lots 3 to 7 of said Lot 6.

The City Engineer recommends that portion of lane shown on Plan 2441 (see Composite Plan 6461), shown hatched on the attached plan marginally numbered LF 8431 be closed, stopped up and conveyed to the abutting owner subject to the following conditions:

- (a) The applicant to dedicate for lane purposes the portion Lot 9 and 10 of said Lot 6 shown shaded on the attached plan marginally numbered LF 8431.
- (b) The applicant to pay \$15.00 per square foot for the area of closed lane in excess of the area of lane to be dedicated, plus registration fees, in accordance with the recommendation of the Supervisor of Properties.
- (c) The applicant to pay for the cutting off of the sewer in the portion of lane to be closed and for the construction of a new manhole estimated to cost \$2,000.
- (d) The applicant to provide and register a subdivision plan consolidating Lots 3 to 10 of said Lot 6 and the portion of closed lane and dedicating the required portion for lane."

The City Manager RECOMMENDS that the above recommendations of the City Engineer and Director of Planning be approved.

RECOMMENDATION AND CONSIDERATION

4. Grant Request
Rental of Festoon Lights to 1977 Christmas Carol Ship Committee

The City Engineer reports as follows:

"The 1977 Christmas Carol Ship Committee has requested the loan of City owned festoon lights. Rental of these decorations was provided for in a resolution dated May 2, 1961, which required that:

- (a) all applications be approved by Council
- (b) a rental of 12¢ per foot be charged, and
- (c) a deposit of one week's rental be required to ensure the return of the equipment in good condition.

Continued

Clause No. 4 Continued:

I estimate that the cost of lamps and maintenance for the festoons will amount to 25¢ per foot this year for a total cost of \$600 for the 2500 feet requested by the Committee.

For the past 14 years the Committee has applied for and been given grants in the amount of the actual cost of maintaining the festoons.

I recommend that the rental of approximately 2500 feet of festoons at the rate of 25¢ per foot to the 1977 Christmas Carol Ship Committee be approved, and

I submit for Council's consideration the request from the 1977 Christmas Carol Ship Committee for a grant of up to \$600 for the rental of approximately 2500 feet of festoons. In the event that the actual cost of repairing the festoons and lamps amounts to less than \$600, the rental charge and the grant will be reduced accordingly. The Director of Finance indicates that should City Council approve this grant, funds are available from the Contingency Reserve."

The City Manager RECOMMENDS that the above recommendation of the City Engineer be approved and submits for CONSIDERATION the application for grant.

INFORMATION

5. Tender Awards

The Purchasing Agent reports as follows:

"In accordance with Council policy, contracts for the following supplies were awarded by the City Manager/authorized City Officials:

- Police Motorcycles
- Cushman Carts
- Asphalt Paving Machine
- Ethylene-Glycol Anti-Freeze
- Hand Shovels
- Backpack Demand Air Masks & Cylinders
- Tailgate Mounted Vibratory Rollers
- Tractor Hoe Loader
- Rotary Mower & Vacuum

Copies of the details of these Tender Awards are attached."

The City Manager submits the foregoing report for Council's INFORMATION.

FOR COUNCIL ACTION SEE PAGE(S) 635

MANAGER'S REPORT, November 25, 1977 (SOCIAL: A-2 - 1)

SOCIAL SERVICE AND HEALTH MATTERS

RECOMMENDATION:

1. Noise Control By-law (4984 As Amended)

The City Engineer reports as follows:

"When the new Noise Control By-Law was being prepared, it was recognized that 'construction and utility work' posed a special problem. To bring such activities within the proposed sound-level (decibel) standards would be impossible in many cases and extremely expensive in others. It was noted that, at any one location, such activities are 'transient and temporary'. The approach taken, therefore, was to exclude these activities from the sound-level standards but to limit them to the day time. (Such operations are allowed at night with the consent of the Mayor if it is 'impossible or impracticable' to comply.)

The present wording of the By-Law exempts from the sound-level standards 'the construction, demolition or repair of a building or street'. This does cover many of the activities in question but other of the activities of the City Engineering Department and of the Utility Authorities, which cannot meet the sound level standards, are not covered or are covered only by a very tenuous interpretation. Specifically:

- a. excavating for and building a sewer or a water-main will exceed the standards - but cannot really be called 'construction or demolition of a street';
- b. cleaning a catch-basin or sewer is part of maintenance - but not really 'repair'.

It is important that our status under the By-Law be clear. Those charged with its administration and enforcement should not be embarrassed by another City department operating under a 'very tenuous interpretation' (or worse). The exemption which Council gives its Engineering Department should apply equally to others engaged in similar work. For these reasons, we propose that the definition of activities exempt from the sound-level standards be expanded and clarified. We feel that the proposed changes are within the general intent of Council when it adopted the By-Law.

The Medical Health Officer, who had a major role in developing the By-Law and is generally responsible for its administration, concurs with the proposal.

I, therefore, recommend that the Director of Legal Services be requested to bring forward an amendment to the Noise Control By-Law so that the exemption from the sound level standards will include:

- a) sewers, water-mains, electrical ducts, and other utilities as well as streets;
- b) cleaning or other maintenance as well as construction, demolition and repair."

The City Manager RECOMMENDS that the above recommendation of the City Engineer be approved.

FOR COUNCIL ACTION SEE PAGE(S) 636

Manager's Report, November 25, 1977 (BUILDING: A-4 - 1)

BUILDING & PLANNING MATTERS

INFORMATION:

1. 3519 Point Grey Road
Development Permit Application #78978

The Director of Planning reports as follows:

'Development Permit Application No. 78978 has been filed by Dr. Douglas Telford, to construct an 8' x 12' sundeck addition to the southside (front) of the existing one family dwelling.

The addition as proposed is an outright use in this RS-2 one family dwelling district, and under the provisions of the Zoning and Development By-law, the Director of Planning must issue such permits.

Resolution of City Council dated May 24, 1977 stated that all Development Permit Applications in the designated priority areas (between Alma Street and Balsam Street) of the northside of Point Grey Road are to be brought to the attention of Council.

In accordance with this resolution, this matter is therefore being referred to City Council for information.'

The City Manager submits the foregoing report of the Director of Planning for the INFORMATION of City Council.

CONSIDERATION:

2. Dunbar Village Co-operative - 2nd and Wallace
Soil Condition Problem

The Director of Finance reports as follows.

"The following letter was received by the City Manager from the architect for the Dunbar Village Co-operative, 2nd and Wallace:

'You will remember my mentioning to you some time ago that the soil report prepared by R. Spence for the above site shows a substantial portion below the bearing capacity required for the proposed buildings.

Through the low bidder for the whole project I have now established that the cost of the additional excavation and preloading to bring the affected area up to the required standard will amount to \$8,100.

Before releasing the funds blocked for this project, CMHC has asked Dunbar Co-operative to confirm that this extra expenditure will not become a part of the development cost.

According to the same soil report the land leased to the adjacent co-operative is usable without additional expenditure for excavation and preloading. My clients feel therefore that the City as the owner of the land should be responsible for raising the load-bearing property of their site to the generally accepted standard.

Assuming the City acknowledges its responsibility, the purpose of this letter is to suggest some alternatives for action which the City may wish to consider:

- (a) The extra work is carried out as part of the general agreement between Dunbar and its contractor; the cost of such work will then be reimbursed by the City to the cooperative.
Or,

Cont'd . . .

Manager's Report, November 25, 1977 (BUILDING: A-4 - 2)

Clause 2 Cont'd

(b) The extra work is carried out direct by the City.

Alternative (a) would have the advantage of easier co-ordination of work on the site by using only one sub-trade firm; alternative (b) may present somewhat simpler bookkeeping. A combination of the two methods may be yet another possibility, i.e. for the work to be carried out direct by the City using the services of Dunbar's sub-contractor.

The main problem here is time which is fast running out. Dunbar can sign the building contract only after CMHC's release of the mortgage funds; and the low bidder's tender can be kept valid only until 15 Dec 77.

I would therefore very much appreciate an early opportunity to discuss with you the best way to satisfy CMHC with the minimum delay.'

Council will be aware that the City is already leasing the land to the Co-operative at two-thirds of market value. Council has on other occasions paid for soil condition problems even after providing land to organizations at the low market value.

If Council wishes to agree to the request of the Dunbar Village Co-operative then a grant in the amount of \$8,100 on the condition that no further funds would be provided would be the appropriate way to handle it. Council might also wish to have the Assistant Director in charge of Construction and Maintenance Division, of the Permits and Licenses Department, verify the problem and the estimate prior to any grant being paid. If Council wish to approve the grant, it could be subject to such inspection.

The above request of the architect for the Dunbar Village Co-operative is submitted to Council for CONSIDERATION."

The City Manager submits the report of the Director of Finance to Council for CONSIDERATION.

RECOMMENDATION:

3. Temporary Accommodations for Police Patrol Division North

The Director of Permits and Licenses reports as follows:

"The program approved by Council for renovating and refurnishing the Public Safety Building is proceeding satisfactorily, and is expected to be completed within the approved budget. The third and fourth floors have been completed and renovation of the second floor and part of the basement will be completed at the year end. Conversion of the heating plant and related work in the jail kitchen are also almost complete.

Renovation of the ground floor is scheduled to begin about January 1, 1978 and to be completed about July 1, 1978. In order that this objective can be achieved, the entire ground floor must be vacated for the six month period. Some of the functions now occupying the floor can be relocated within the building, sharing space with others for the six month period. However, the Patrol Division North (Districts 1 and 2) must be moved out of the building and accommodated in rented temporary quarters for that period. Approximately 5,000 sq.ft. of space is required, plus parking for 50 patrol cars.

The Police Department had anticipated arranging with the Department of National Defence for the Patrol Division to occupy an armory which they had used on previous occasions. It was discovered lately that the armory cannot be made available. Alternative accommodation therefore had to be found, examined and reported as quickly as possible, so that the space can be prepared for occupancy on January 2, 1978.

Cont'd . . .

Manager's Report, November 25, 1977 (BUILDING: A-4 - 3)

Clause 3 Cont'd

The Supervisor of Properties has located vacant premises that are available on short term lease, which are well located relative to the two districts and to police headquarters, and in which the necessary temporary offices and locker rooms can be developed without major alterations or additional plumbing. Parking for the patrol cars is available, on nearby property. The office space is situated on the second floor of the Mandarin Trade Centre at 627 Main Street, and the parking on property of B. C. Hydro in the 100 block Keefer Street.

The total cost of providing this accommodation is estimated to be \$40,600. as follows:

Rent for 4,700 sq.ft. of office space for 7 months (one month for alterations, 6 months tenancy)	\$14,000.
Parking space for 50 cars, 6 months rent	\$ 3,600.
Alterations to provide temporary offices and locker rooms	\$16,500.
Moving and re-moving office furniture and 250 lockers	\$ 3,500.
Telephone installations, permits and miscellaneous expense	\$ 3,000.
	<u>40,600.</u>

The Director of Finance advises that sufficient funds are available to provide for these items in the Capital appropriation for renovations to 312 Main Street.

It is therefore recommended that:

- A) The Director of Legal Services be authorized to enter into short term leases with Mandarin Trade Centre Ltd. and B. C. Hydro for the office and parking premises for seven months and six months respectively, renewable month-to-month thereafter.
- B) That the City Architect be authorized to proceed with the necessary alteration work and other arrangements, employing Turnbull & Gale Construction Ltd., the contractors responsible for renovation of the Public Safety Building, to complete the work on the basis of cost plus ten percent."

The City Manager RECOMMENDS the foregoing recommendations of the Director of Permits and Licenses be approved.

FOR COUNCIL ACTION SEE PAGE(S) 636

LICENSES AND CLAIMS MATTERS

RECOMMENDATION:

1. Neutering Dogs Sold By Pound

The Director of Permits and Licenses reports as follows:

On July 31, 1973, City Council passed the following motion:

"That no female dogs be sold from the Pound unless they have been spayed or satisfactory arrangements have been made to ensure that the female dogs will be spayed."

This action was taken as part of the overall dog population control program. A person wishing to purchase a female dog from the Pound must now make a deposit to cover the cost of spaying the animal and when the operation is completed this money is paid out by the City to the veterinarian or Spay & Neuter Clinic.

In an effort to persuade dog owners to have their male dogs neutered to further control the dog population, Council approved an increase in the license fee for an unneutered male dog to \$20.00, the same as an unspayed female.

This new fee comes into effect January 1, 1978.

I recommend that:

- (a) no male dog be sold from the Pound unless it has been neutered or satisfactory arrangements have been made to ensure that the male dog will be neutered.
- (b) If the owner of an aged or infirm male dog can produce a letter from a veterinarian or from the Spay & Neuter Clinic that because of the dogs age or infirmity neutering would not be advisable, the lesser fee of \$10.00 for neutered male dogs will be charged."

The City Manager RECOMMENDS that the recommendations of the Director of Permits and Licenses be approved.

FOR COUNCIL ACTION SEE PAGE(S) 626

FINANCE MATTERS

RECOMMENDATION

1. Meter Checker Program

The City Engineer reports as follows:

"On February 22, 1977, City Council approved the City Manager's report dated February 9, 1977 recommending that the Meter Checker staff level be fixed at 15 permanent positions and that the permanent staff level be attained through attrition within 12 months. In addition, the report outlined the effectiveness of the program in the first 3 months of operation and estimated the annual increase in revenue.

The purpose of this report is to review the first full year of operation and to make recommendations on changes to the Meter Checker Uniform Personnel Regulation.

Present Status: Year End Statistics

The following are summaries of meter violations data, revenues and meter usage for the first year of full operation (October 1, 1976 to September 30, 1977). Comparative figures are also shown for the year "before" the Meter Checker Program.

1. Notices of Parking Violation

Total notices written	178,927	
Total notices withdrawn (i)	9,675	
Total valid notices	169,252	
Total notices paid (ii)	108,729	(64%)
Total summonses issued	3,617	

(i) withdrawals can be divided into two categories, errors and out-of-order meters.

(ii) Fee schedule:

Paid within 10 calendar days	\$5.00
Paid after 10 calendar days and before an information to Summons is laid.	\$7.00
Paid out of court after an information is laid (payable to the Court Clerk and returned to City).	\$11.00

2. Net Revenues

A. Fine Revenues:	"Before" Meter Checker Program	"After" Meter Checker Program
Fine revenues collected	\$105,600	\$635,725
Operating Costs:		
The Director of Finance reports 'that for the period October 1, 1976 to September 30, 1977, the estimated operating costs related to the By-laws Fines Collections (Capital Costs excluded) were:	N/A (iii)	\$150,000
Net Fine Revenues	\$105,600	\$485,725

Manager's Report, November 25, 1977 (FINANCE: A7-2)

Clause No. 1 continued

B. <u>Meter Revenues:</u>	<u>before</u>	<u>after</u>
Meter revenues collected	\$373,910	\$588,305
Operating Costs:		
maintenance and operation	143,910	140,264
enforcement	<u>N/A (iv)</u>	<u>227,695</u>
Net Meter Revenues	\$230,000	\$220,346
TOTAL NET REVENUES	\$335,600	\$706,071
(iii) collected by Provincial Government: no cost to City.		
(iv) prior to the Meter Checker program, the Police enforced the By-law and did not apply costs against revenues.		
TOTAL INCREASED REVENUE: FIRST YEAR		\$370,471 (v)
(v) The February 9, 1977 report estimated an annual revenue increase of only \$300,000.		

3. Meter Usage and Meter Violation Rate

	<u>Before</u> <u>(Jan. 23/76 report)</u>	<u>After</u> <u>(Dec. 76)</u>
Total number of meters	2063	2446
% violations	53%	21%
% occupancy	80%	72%

In the January 23, 1976 report, recommending establishment of the Meter Checker Program, it was estimated that the extra meter revenue generated by increased enforcement would cover the additional enforcement costs. The economic analysis of the first year of operation has shown the program to be successful. In addition, the program has achieved the most important objective of improving short-term meter space availability in the downtown area.

Meter Checker Uniform

The original terms of reference for the Meter Checker program recognized the need for a uniform to confirm the force's identity and authority. When the Meter Checker Program began in September, 1976, each Meter Checker was given an allowance to cover the purchase costs of their required uniform clothing and footwear items. In addition, each Checker was supplied a badge, a leather carrying bag and rain gear by the City. Since the uniform needs and clothing fabrics were untested under our operating conditions, it was decided that a comprehensive review of the uniform provisions should be undertaken following the first year of operation. This review has now been completed and some changes to the uniform design and allowance are necessary.

Initially, it was anticipated that the uniform items would last approximately two years. Experience has now shown that, because of the severity of the wear conditions, parts of the uniform have lasted only one year. In addition, the winter parka lining and the City-supplied raingear do not provide the necessary cold weather and wet weather protection.

To effect the required changes to the uniform, it will be necessary to amend Personnel Regulation 40 which contains the current allowance provisions. The Director of Personnel Services has revised this regulation and it is attached as Appendix I. The V.R.M.E.U. have considered and concur with the amendments.

cont'd....

Manager's Report, November 25, 1977 (FINANCE: A7-3)

Clause No. 1 continued

The proposed amended uniform allowance for the Meter Checkers will provide for an increase from an average of \$150 per year to an average of \$250 per year. Since this total cost increase was not anticipated in the 1977 budget, it is necessary to provide additional funding for this year. In future, the total uniform allowance will be included in the departmental budget. The costs for the winter parka linings and raingear are non-recurring and will be budgeted as required.

The estimated cost to initiate these changes is \$3300. These costs are directly related to the enforcement of the provisions of the Parking Meter By-law, and it is therefore appropriate that the funds come from the Parking Meter Revenues. The increase in revenue resulting from the Meter Checker Program is higher than estimated and sufficient funds are available to pay these additional uniform costs.

The Director of Finance concurs with the source of funds to meet uniform costs.

RECOMMENDATIONS

The City Engineer RECOMMENDS that:

- A. The year-end status report on the Meter Checker Program be received for INFORMATION;
- B. The revisions to Personnel Regulation 40, as prepared by the Director of Personnel Services, and attached as Appendix I, be approved;
- C. The \$3300 required to initiate the revised uniform provisions be appropriated from 'Parking Meter Revenue, Account 4880/625' and credited to 'New Uniforms Account, 4879/572'."

The City Manager RECOMMENDS that the above recommendations of the City Engineer be approved.

FOR COUNCIL ACTION SEE PAGE(S) 637

MANAGER'S REPORT, NOVEMBER 25, 1977 (PROPERTIES: A9 -1)

PROPERTY MATTERS

RECOMMENDATION

1. Residential Tenancy Act, Section 9(11): Long-Term Leases

The Director of Legal Services reports as follows:

"Subsection (11) of Section 9 of the Residential Tenancy Act provides that no landlord shall enter into a tenancy agreement with respect to residential premises in a residential property comprising more than two residential premises for a term exceeding three years unless he first obtains the written approval of Council of the municipality.

Daon Development Corporation have recently constructed a 25-unit condominium at 1236 Bidwell Street. The buildings are new and have not been previously, and are not now, occupied by anyone. They are desirous of taking in tenants on long-term leases. The leases would have an original term of 30 years with two successive 30-year options to renew (or such other terms in excess of three years as Daon and each tenant may agree to). In order to achieve this they will require the approval of City Council. They originally intended to sell the units but would now prefer to enter into long-term leases.

Some time ago Council received a similar request with respect to a tenancy agreement in a duplex. The lease in that case contained an option to purchase. Because of this feature, Council agreed to the long-term lease and approved in principle any subsequent applications of a similar nature by other persons. In Daon's case there is no disruption of any tenants as there is no occupancy; in fact, they will be creating long-term rental accommodation rather than sell. In view of this there seems to be no reason why the approval should not be granted to enable Daon to find tenants who are prepared to agree to the terms that may be negotiated.

I would therefore recommend that approval be granted to Daon Development Corporation to enter into leases in excess of three years with respect to the premises at 1236 Bidwell Street in Vancouver.

If Council approves the foregoing recommendation, then I further recommend that Council at this time grant approval to long-term leases of condominium units which are new and have never been occupied so that it will be unnecessary to bring each individual application to Council. Each such applicant would be required to submit a satisfactory Statutory Declaration to the effect that the premises have not been occupied and are not occupied at the date of the application."

The City Manager RECOMMENDS that the foregoing report of the Director of Legal Services be adopted.

2. Cancellation of Lease, 1581 - 1585 West 4th Avenue

The Supervisor of Properties reports as follows:

"City Council on March 8, 1977, approved a lease of 1581 - 1585 West Fourth Avenue, legally described as Lot "A" and a portion of Lot "B", Block 240, District Lot 526 to Nu-National Car Care Limited, for five years from February 1, 1977, at a monthly rental of \$1,135.00 with the right to sub-lease portions of the building.

Continued

MANAGER'S REPORT, NOVEMBER 25, 1977 (PROPERTIES: A9 -2)

Clause No. 2 Continued:

Nu-National Car Care Limited by the terms of their lease, paid all utilities and were responsible for all repairs, except structural. They occupied part of the upper floor of the two-storey building and sub-let, with City consent, the lower floor and a small portion of the upper floor.

The head lessee, Nu-National Car Care Limited, has become insolvent, the Company's solicitor has requested cancellation of the lease as of November 30, 1977. The Company is two months in arrears in their rent (\$2,270.00) and intends to pay the arrears in two months time.

Nu-National Car Care Limited will vacate the premises as of November 30, 1977, and as of December 1, 1977 the City will be receiving \$1,050.00 per month from the sub-lessees, plus an additional amount estimated at \$150.00 per month or a total of \$1,200.00 per month when fully rented.

The Director of Legal Services has concurred that the lease arrangements with the Nu-National Car Care Limited be cancelled as of November 30, 1977.

Therefore, it is recommended that:

- a) The lease with Nu-National Car Care Limited as approved by City Council on March 8, 1977 be cancelled as of November 30, 1977.
- b) Leases to the present sub-lessees be arranged on a month-to-month basis to the satisfaction of the Supervisor of Properties and the Director of Legal Services."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Properties be approved.

3. Demolition of Buildings - 1923, 1927 and
1975 Granville Street and 1501 - 1515 West 4th Avenue

The Supervisor of Properties reports as follows:

"The property situated on the north-west corner of Granville Street, legally described as Lot 19 except north 25 feet, Lots 20 to 24 and Lot 25, except south seven feet, all in Block 240, District Lot 526, was acquired from various owners during 1954 for construction of the Granville Street Bridge. These lots are zoned M-1, Light Industrial District and comprise a site approximately 173 feet by 120 feet.

The lots are improved with four one-storey warehouse type buildings of masonry and frame construction, erected between 1912 - 1927. The buildings are overshadowed by the Granville Street Bridge ramp which passes over the easterly end of the buildings. The location of the property is poor with restricted street access and limited parking and loading facilities.

When the properties were first acquired, the City was able to secure commercial/industrial tenants who leased the property on term leases. However, over the years, demand for this type of property has decreased and presently, there are only two tenants paying a total monthly rental of \$150.00 who have been offered alternate accommodations in another City-owned property. Three of the buildings have been boarded up.

Continued

MANAGER'S REPORT, NOVEMBER 25, 1977 (PROPERTIES: A9 -3)

Clause No. 3 Continued:

The condition of the buildings is in a poor to fair state and would require an expenditure of approximately \$20,000. to affect minimum repairs (painting, roofing, etc.). In addition, all the buildings require improvements to the electrical, heating and plumbing systems. Because of poor rental potential, it is considered that the expenditure of funds to make the buildings rentable is uneconomic.

On July 16, 1976, the Property Endowment Fund Board considered a report from the Supervisor of Properties advising of the poor return from the four run-down buildings and proposing that the buildings be demolished and the site advertised for a long term lease. The lessee would construct a new building which would revert to the City on expiry of the lease. The Board resolved that the Supervisor of Properties be authorized to advertise the site for lease. Subsequently, the site was advertised for lease but no tenders have been received to date.

When the site was advertised for lease, it was proposed that the City would demolish the buildings and clear the site in preparation for new construction. It was not anticipated that the boarded up buildings would remain for this extended period as experience has shown that the risk of vandalism and fire increases over a period of time. In particular, the fire hazard would be a problem as the buildings extend under the Bridge ramp. It is noted that these buildings are not located within any specific "Study Areas" and the Permits and Licenses Department indicate that a demolition permit can be readily issued.

It is therefore recommended that the Supervisor of Properties be authorized to proceed with demolition of the four buildings and that the cleared site be re-advertised for lease."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Properties be approved.

4. McLaren Electric Building, 2151 Burrard Street
Lease of Portion of Second Floor

The Supervisor of Properties reports as follows:

"City Council on November 30, 1976, approved a lease of 7200 square feet more or less on the second floor of the McLaren Electric Building, 2151 Burrard Street, to McKay Systems Corporation Ltd., for a period of one year from December 15, 1976. This one-year lease contained a right to renew for a further two and one-half years.

Following negotiations, this Lessee has agreed to a new lease incorporating the following terms and conditions:

- a) Lease term to be three years from December 14, 1977.
- b) Rent to be increased from \$2,640.00 per month to \$3,410.00 per month.
- c) City to be responsible for payment of heat, light, and taxes.
- d) Lessee to be responsible for internal Janitorial service.
- e) All other lease terms to be similar to previous lease, except that City to be now responsible for maintenance of the air-conditioning system.

Continued

Clause No. 4 Continued:

- f) Lease to contain right to renew for a further three years. Lease terms for this renewal to be negotiated.

It is recommended that the above space be leased to McKay Systems Corporation Ltd., under the above terms and conditions with a lease drawn to the satisfaction of the Director of Legal Services and the Supervisor of Properties."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Properties be approved.

5. Sale of City Lands to the Government of Canada

The Supervisor of Properties reports as follows:

"The City purchased the Burnaby Lake Line Right of Way extending from Commercial Drive to Nanaimo Street in 1954 from the B.C. Electric Railway. Included in these properties are Lots 11, 12 and 13, Block 2 of Subdivision C, Block 146, District Lot 264A, Plans 722 and 1771, situated on the northside of 6th Avenue between Commercial Drive and Victoria Drive. The lots are approximately 25' x 100' in size each. They are currently maintained in our Property Endowment Fund Inventory and have no reservations on them at the present time.

The Senior Government has a postal station situated on Commercial Drive abutting the City-owned lots and has plans to enlarge their present facilities. In accord with this, they have made an application to purchase the three City-owned lots and have applied to the Director of Planning for a development permit. However, the permit is not approved as yet in view of parking considerations.

Following negotiations with the Supervisor of Properties, the Government has agreed to a purchase price of \$78,000.00 which is considered to represent fair and market value. However, their offer is subject to approval of the development permit application. This is considered to be a reasonable condition of sale, although an appropriate time limit on that item should be established.

It is therefore recommended the sale of Lots 11, 12 and 13, Block 2 of Subdivision C, Block 146, District Lot 264A, Plans 722 and 1771, to Her Majesty the Queen in the Right of Canada be approved subject to the following conditions:-

- a) Sale price to be \$78,000.00
- b) Date of Sale to be the date of issuance of a development permit or 120 days from Council approval of the sale, which ever is the sooner."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Properties be approved.

FOR COUNCIL ACTION SEE PAGE(S) 637

MANAGER'S REPORT

November 24, 1977

TO: Vancouver City Council

SUBJECT: Huntington Apartments,
1915 Beach Avenue

CLASSIFICATION: RECOMMENDATION

The Director of Planning and Director of Social Planning report as follows:

"Background

On December 14, 1976, Vancouver City Council resolved:

'THAT the City assist the tenants of the Huntington Apartments in their negotiations to purchase and renovate the building and that the Director of Planning and Director of Social Planning be instructed to report back to the Committee on the progress of negotiations.'

In December, 1976, Mr. Gerald Presley and Ms. Judy Piercey addressed the Housing and Environment Committee on behalf of the Huntington tenants, and noted that the owner had been requested to sell the property to a non-profit corporation acting for the tenants. When the necessary financial information was forthcoming, it was hoped an offer to purchase would be made. Spokesmen for CMHC had indicated funds would be forthcoming, provided the project was economically viable.

Through subsequent discussions with CMHC, it was concluded that acquisition of the building through the NHA Section 15 non-profit housing program was not feasible since not enough tenants' incomes are within the maximum CMHC guidelines for this program. The tenants also discussed the possibility of the Greater Vancouver Housing Corporation or the Provincial Department of Housing acquiring the building for rental back to the tenants. However, these possibilities were also eliminated since the source of funding for both the GVHC and the Province would have been through Section 15 and its guidelines.

The tenants have now concluded that conversion to strata-title is their only available means of conserving the building. One of the tenants, Mr. Gerald Presley, has taken on the role of promoter of this scheme. Mr. Presley has entered into an interim 60-day agreement with the owner's agents which requires him to make a major financial commitment by November 30th, 1977.

He has provided the City with an affidavit declaring that the tenants of 39 of the 41 suites approve of conversion. Of the two remaining tenants, one could not be contacted and the other did not oppose but would not declare approval for reason of conflict of interest.

Twenty-three of the 39 approving tenants have indicated their wish to purchase their suites. Four elderly tenants on fixed incomes have approved conversion on the understanding that they would be permitted to remain in their suites and rent at a rate which they could afford to pay. The 12 remaining tenants are people with sufficient resources not to require special housing assistance but who do not wish to purchase. These tenants have approved the conversion on the understanding that it is the best way of saving the Huntington Apartments, that they will likely be required to vacate when their suites are sold, but that they are well able to find alternative housing.

Social Planning staff has interviewed three of the four elderly tenants on fixed incomes and have on file the names and addresses of all four. These tenants are well informed of the situation and have Mr. Presley's assurance, sworn to in his affidavit, that they may remain in occupancy. Mr. Presley has also agreed to involve the Director of Social Planning in negotiating satisfactory lease agreements with these four elderly tenants.

Although it has been Council practice to require formal notification of tenants that they must vacate due to conversion, notification has not been deemed appropriate by the Director of Planning and Director of Social Planning in this case. The 12 to 14 tenants who may be required to vacate when their suites are sold will have to be given three months notice as per the Landlord and Tenant Act, in any case. It may be some time before all suites are sold and notification would be premature at this time."

* * *

The normal report for approval of an application to convert to Strata Title follows:

The Director of Planning reports as follows:

" An application was received on November 22, 1977, from Mr. S.G.N. Presley the promoter and a tenant of Suite #110 - 1915 Beach Avenue, to convert this 41-suite, three storey steel reinforced concrete and masonry apartment building from rental to Strata Title ownership - (41 Strata lots).

The applicant has submitted the following information:

1. Letter of explanation from William A. Street, Barrister and Solicitor dated November 22, 1977.
2. Detailed conversion proposal by the promoter, Mr. S.G.N. Presley and dated November 21, 1977.
3. Supporting exhibits:
 - Schedule 'A' - Plans of proposed strata lots and common areas.
 - Schedule 'B' - Description of dwelling units.
 - Schedule 'C' - Estimate of selling prices of individual suites.
 - Schedule 'D' - Master Data Sheet - (including appraised value, selling price, refurbishing allowance and estimated monthly maintenance cost for each unit).
4. Copies of letters from:
 - (a) October 21, 1977 - Department of Permits and Licenses - (Fire Warden's Office).
 - (b) October 25, 1977 - Vancouver City Health Department - (Public Health Inspector)
 - (c) November 2, 1977 - Department of Permits & Licenses - (City Building Inspector)
 - (d) November 2, 1977 - Read, Jones, Christofferson Ltd. - (Consulting Engineers).
5. Statutory Declaration sworn by Mr. S.G.N. Presley, the applicant, and a form signed by 39 of the 41 tenants, indicating no objections to this conversion application.
6. Relocation service fee in the amount of \$50.00 per suite.

Copies of Items 1 to 5 are attached to this report.

With respect to the condition of this building, the City Building Inspector reports as follows:

'Inspections have been carried out at the above location to determine whether the building complies with all relevant City By-Laws. No deficiencies were noted respecting the plumbing and gas installations or in the basic electrical services.

However, a considerable number of alterations are necessary in order to meet the requirements of the Fire By-Law, as outlined in a letter to the applicant from the Fire Warden's office, dated October 21, 1977 (See Items 4(a), (b) & (c) above). The following additional deficiencies must be rectified:

- 3 -

1. Garbage chutes are to be provided with an approved washdown device at the top of the shaft.
2. The exposed wood joists in the ceiling of the basement locker room are to be fire protected with a 3/4 hour fire separation.
3. All exit doors in the building are to open in the direction of exit travel.

The Health Department makes the following recommendations:

1. Garbage should be more adequately handled. The installation of a bulk container on a regular collecting contract is recommended.
2. The illumination of the public areas should be improved for reasons of safety and maintenance.

The required upgrading work should be carried out by the apartment owners to the satisfaction of the City Building Inspector before final approval is granted to this Strata conversion'

Therefore, the Director of Planning, with the concurrence of the Director of Permits and Licenses and the Director of Social Planning, recommends that:

This application be approved, thereby permitting the conversion of the premises at 1915 Beach Avenue to Strata Title ownership (41 Strata lots) on the understanding that four existing elderly tenants will be permitted to remain in their suites, and subject to the following condition:

That a Certificate of Approval (Form #10) shall not be issued by the Approving Officer until this building substantially complies with the applicable City By-laws to the satisfaction of the City Building Inspector and at no cost to the City."

The City Manager RECOMMENDS that the recommendation of the Director of Planning be approved.

FOR COUNCIL ACTION SEE PAGE(S) 637d64C

MANAGER'S REPORT

November 22, 1977.

TO: Vancouver City Council

SUBJECT: Sidewalks on Chestnut Street

CLASSIFICATION: RECOMMENDATION

The City Engineer reports as follows:

"Over the past several years there have been various requests to provide sidewalks on Chestnut Street. These sidewalks would lead from Cornwall Street to the Centennial Museum, the Planetarium Complex, the Maritime Museum, the Community Music School and the Archives.

A sidewalk petition has never been received for Chestnut Street. However, we have had a large number of requests from other citizens to construct a sidewalk here. On the basis of the requests which were received and a Council approved policy of installing sidewalks where there is a special pedestrian need, a report was submitted to Council in 1974 requesting authority to initiate an improvement. This was granted and Local Improvement Procedures were initiated but were defeated by the property owners.

There is a screenings walk on the west side of Chestnut and a portion from Creelman Avenue south has an existing concrete sidewalk. It is contrary to existing City Policy to install sidewalks out of general funds. It would create a precedent if this were done now. An alternative would be for City Council to initiate this project on Special Grounds and charge the property owners for their share of the cost. A sidewalk could be installed on the east side of Chestnut Street from Whyte Avenue to Creelman Avenue on City property adjacent to the street allowance. Another sidewalk is required from 50 feet north of Greer Avenue to Cornwall Avenue. The cost of each of these sidewalks is \$5,500 or a total of \$11,000. Funds are available for City's share of this Local Improvement in the amount of \$8 420. (See attached plan).

The sidewalk on the east side could be constructed out of general City funds as it is not involved with any Local Improvement Procedures. However, the sidewalk on the west side should be proceeded with on Special Grounds by a resolution of City Council and notices could be sent to the owners of the three affected properties advising them of City Council's action and advising them that they may appear as a delegation. In this way the Local Improvement Procedure could be shortened and City Council could hear objections, if any.

Only three properties would be involved in the Local Improvement - the apartments at Cornwall and at Greer and the former railway right-of-way on the north side of Greer. (Only the last was involved in the previous, defeated project). To reduce the time for approval, therefore, we propose a shortened procedure. If the project were advanced 'on the Initiative' and were defeated, then considering the nature of the properties and the need, we would recommend that Council proceed 'on Special Grounds'. We propose, therefore, that the project be undertaken 'directly' on Special Grounds, but with Council action deferred for two weeks and the three owners notified so that they may be heard.

RECOMMENDATIONS

- A. That the City Engineer be authorized to construct a P. C. concrete sidewalk along the westerly portion of Vanier Park (the east side of Chestnut Street) from opposite Creelman Avenue to opposite Whyte Ave.
- B. That Council action on the other section - P. C. concrete sidewalk on the west side of Chestnut Street from Cornwall Avenue to a point approximately 50.26 feet north of Greer Avenue - be deferred for two weeks. And that the City Clerk notify the three owners involved that Council will consider undertaking this project as a Local Improvement on Special Grounds and that, if they wish, they will be heard at that time.

- C. That funds for the walk in recommendation 'A' (\$5,500) and for the City's share of the walk in recommendation 'B' (\$2,920) come from Streets Capital account 148/7960.

NOTE: If Council approves these recommendations a formal Special Grounds resolution to implement 'B' will be prepared and brought forward in two weeks time."

The City Manager RECOMMENDS that the above recommendations of the City Engineer be approved.

FOR COUNCIL ACTION SEE PAGE(S) 641

MANAGER'S REPORT

November 22, 1977

TO: Vancouver City Council

SUBJECT: Lease of Long Term Care Staff Accommodation
828 West Eighth Avenue

CLASSIFICATION: RECOMMENDATION

The Supervisor of Properties reports as follows:

"Vancouver City Council on October 25, 1977, approved the recommendation of the City Manager's Report of October 24, 1977, on Long Term Care-Program and Facilities. On November 8, 1977, Council received a Report on this subject and passed the following motion:

'THAT the Council, in support of the Medical Health Officer, reaffirm its understanding that funding will be made available to make possible the utilization of some 18,000 square feet of space at 828 West Eighth Avenue, for the Provincial Government's Long Term Care Program, and the Mayor be requested to communicate this information to the appropriate Provincial authorities forthwith urging an early favourable decision.'

One of the recommendations of October 25, 1977, authorized the City Architect to carry out required renovations at 828 West Eighth Avenue. At that time, it was anticipated that the property would be leased by the B. C. Building Corporation and operated by the City. From the Provincial point of view, it was decided that it would be preferable to have the City both lease and operate the facility. The Associate Deputy Minister, Planning and Support Services, Ministry of Health, has by letter dated November 14, 1977, assured the City that the entire cost of operating this facility is recoverable from the Province and has requested the City enter into a Lease for a portion of the premises at 828 West Eighth Avenue with the owners, Eight Investments Limited.

Negotiations with the agent have resulted in an offer to lease on the following terms and conditions:

Term	5 years commencing January 1, 1978, with an option to renew for a further 5 years.
Area of Lease	18,690 square feet (2 floors).
Basic Rental	\$10,933.65 per month for the 5 year term, the 5 year Option Rental to be negotiated or arbitrated.

As additional rental, the City is responsible for a proportionate share of taxes, heat, light, cleaning service, etc.; to be recovered from the Province.

Parking	40 spaces at \$30.00 each, per month.
---------	---------------------------------------

The Lessor has agreed to allow the City to enter on the premises to commence tenant improvement immediately after Council approves the Lease. They will also contribute \$2.50 per square foot (\$46,725.00) towards the tenant improvements and have agreed to give the City rent free possession for one and one-half months, commencing January 1, 1978, to February 14, 1978. In addition, they have accepted responsibility for a Lease made on behalf of the Metropolitan Board of Health on office space at 1089 West Broadway which does not expire until September 30, 1979, and this unit will be moving into 828 West Eighth Avenue.

The foregoing rental arrangements are considered to be fair and reasonable and it is, therefore, recommended that the Supervisor of Properties be authorized to enter into a Lease with Eight Investments Limited on the foregoing basis, with the Lease drawn to the satisfaction of the Director of Legal Services."

The City Manager RECOMMENDS the foregoing recommendation of the Supervisor of Properties be approved.

I

REPORT TO COUNCIL
STANDING COMMITTEE OF COUNCIL
ON COMMUNITY SERVICES

NOVEMBER 17, 1977

A meeting of the Standing Committee of Council on Community Services was held on Thursday, November 17, 1977, in Committee Room No. 1, Third Floor, City Hall, at approximately 1:30 P.M.

PRESENT: Alderman Rankin, Chairman
 Alderman Bellamy
 Alderman Ford
 Alderman Gerard
 Alderman Marzari

ALSO PRESENT: Alderman Brown
 Alderman Harcourt

COMMITTEE CLERK: H. Dickson

RECOMMENDATION

1. Minimum and Maximum Fines: By-laws

The Committee had before it for consideration a Manager's report dated November 3, 1977 (copy circulated) in which the Director of Legal Services reported on the current minimum and maximum fines for violations of a number of City by-laws.

In the report, the Director of Legal Services recommended increases in the various penalties which are imposed for violations of these by-laws.

The Director of Legal Services appeared before the Committee on this matter, and following brief discussion, it was

RECOMMENDED

THAT minimum and maximum fines for by-law infractions be set as follows:

a) Pound By-law

\$ 25.00 minimum for first offense for
 dogs running at large
 \$250.00 maximum for repeated offenses

b) General Fines and Penalties By-law

\$ 50.00 minimum
 \$500.00 maximum

c) Discharge of Firearms By-law

\$ 50.00 minimum
 \$500.00 maximum

d) Parks By-law

\$ 25.00 minimum
 \$200.00 maximum

Continued

Report to Council
 Standing Committee of Council on Community Services
 November 17, 1977

(I-2)

2. Liquor Permit Application - 775 Davie Street

The Committee had before it for consideration a Manager's report dated November 10, 1977, in which the Director of Planning reported on the application of Mr. B. Jang for Davie & Howe Seafood Ltd. for Development Permit Application No. 78939 at 775 Davie Street as follows:

" The above noted Development Permit Application has been filed by Mr. B. Jang for Davie & Howe Seafood Ltd. to use a portion of the main floor as holding bar area in conjunction with the existing restaurant.

This development is situated on the northeast corner of Howe and Davie Streets in a predominantly commercial area.

The proposed Holding Bar development will provide an assembly area of one hundred and fourteen (114) square feet, which would permit a maximum seating capacity of approximately 10 persons.

The Director of Planning approved this application subject to the condition that, prior to the issuance of the Development Permit:

'this request for a new liquor outlet be first referred to City Council through the Standing Committee on Community Services for consideration.' "

A representative of the Director of Planning appeared before the Committee on this matter and during discussion, it was noted that the proposed holding bar would permit a maximum seating capacity for ten persons.

Following discussion, it was

RECOMMENDED

THAT the Director of Planning be advised that Council has no objection to the issuance of Development Permit Application No. 78939 to Mr. B. Jang for Davie & Howe Seafood Ltd. to use a portion of the main floor at 775 Davie Street as a holding bar area in conjunction with the existing restaurant.

3. Liquor Permit Application - 1170 Hornby Street

The Committee had before it for consideration a Manager's report dated November 10, 1977, in which the Director of Planning reported on the application of Mr. T. Faye for Development Permit Application No. 78853 at 1170 Hornby Street as follows:

" The above noted Development Permit Application has been filed by Tom Faye to use a portion of the main floor as Holding Bar Area in conjunction with the proposed restaurant.

The proposed development is situated on the east side of Hornby Street between Davie and Helmcken Streets in a predominantly commercial area.

Continued

Report to Council
 Standing Committee of Council on Community Services
 November 17, 1977

(I-3)

Clause No. 3 Continued

" The proposed Holding Bar Development will provide an assembly area of approximately two hundred and nine (209) square feet in area or 7% of the total area of the restaurant, which would provide for a seating capacity of approximately 12 persons.

The Director of Planning approved this application subject to the condition that prior to the issuance of the Development Permit:

'this request for a new liquor outlet be first referred to City Council through the Standing Committee on Community Services.' "

A spokesman for the Director of Planning appeared before the Committee on this matter and advised of an error in the report. He stated that the holding bar development will provide a seating capacity for approximately seventeen persons, not twelve as stated in the report.

During discussion, the Committee noted that a recommendation to approve the application would be on the understanding that the development will have a seating capacity for seventeen persons.

Following discussion, it was

RECOMMENDED

THAT the Director of Planning be advised that Council has no objection to the issuance of Development Permit Application No. 78853 to Mr. T. Faye to use a portion of the main floor at 1170 Hornby Street as a holding bar area in conjunction with a proposed restaurant.

4. Jericho Hangar No. 5

Vancouver City Council, at its meeting on October 25, 1977, passed the following motion:

"THAT the Community Services Committee investigate obtaining an appropriate user for Hangar #5."

The Committee had before it for consideration a Manager's report dated November 7, 1977 (copy circulated) in which the Director of Legal Services reported on the status of the land on which Hangar No. 5 is situated.

It was noted from the report that the two lots upon which the building sits are being held by the City but must be used for park purposes.

Since the October 25, 1977, Council meeting, which referred Hangar No. 5 to the Committee, the Park Board considered City Council's decision and forwarded a letter dated November 9, 1977 (copy circulated) which advised that the Board's resolution of October 11, 1977, still stands and that the Board is ready to furnish any information on this matter to the Community Services Committee.

Continued

Report to Council
 Standing Committee of Council on Community Services
 November 17, 1977

(I-4)

Clause No. 4 Continued

The Board's October 11, 1977 resolution was that the Board did not concur with City Council's recommendation that Hangar No. 5 be offered to a users committee and the Board therefore requested Council to turn over the property upon which Hangar No. 5 is situated to the Board's care, custody and management for park purposes as soon as possible.

Also before the Committee for consideration was a list of suggested terms for any lease of Hangar No. 5 which was proposed by Committee Member Alderman Ford.

Alderman Ford's suggestions for the term of any lease were as follows:

"User group must be non-profit, non-sectarian society with a broadly based membership.

The Society must be prepared to operate Hangar #5 as a multi-purpose summer pavilion open to the public under reasonable conditions and to conform to the Deed requiring use for Park purposes.

The society must provide evidence of management and financial capability to carry out necessary renovations to satisfy City and Provincial codes and by-laws.

The initial lease to be for five years with renewal clause.

A society that agrees to the above guidelines shall have a period of six months to conform to the requirements.

Other details of funding and operating to be negotiated."

Appearing before the Committee on this matter was the Chairman of the Park Board, Commissioner I. Bain, along with Park Commissioners R. G. Fraser and G. Wainborn and Park Board Superintendent S. Lefeaux.

The Chairman opened discussion by stating it was not the Committee's intention to hear a number of delegations on the use of Hangar No. 5 at this meeting but that it would hear a submission from the Park Board.

Park Commissioner Fraser suggested to the Committee that it is a waste of time for Park Board and Council members to quarrel over raising a minimum of one-quarter of a million dollars to renovate Hangar No. 5 for public use when Board and Council officials may be able to acquire Federal funding for a new community festival facility at Granville Island. Commissioner Fraser indicated that an estimated \$20-Million to \$30-Million in Federal funds may be allocated for developments on Granville Island.

A member of the Committee replied that a number of community groups have indicated they wish to use Hangar No. 5 and that therefore the Committee intends to find a community group or conglomeration of groups which would utilize the building.

Continued

Report to Council
 Standing Committee of Council on Community Services
 November 17, 1977

(I-5)

Clause No. 4 Continued

Alderman Harcourt suggested that there should at least be a trial use of Hangar No. 5 for four or five years to determine if it could be a well-used facility before any decision to tear the structure down. However, Alderman Brown replied that a joint City Council/Park Board Committee has examined Hangar No. 5 and had heard submissions from a large number of public groups interested in using Hangar No. 5 and that indications were that none of these groups could provide the minimum \$302,000.00 which the joint Committee concluded was the cost for renovations of the building to minimum public use standards.

It was noted during discussion that the joint Committee had recommended to Council that \$302,000.00 be expended to renovate the hangar but that this recommendation was not voted upon by City Council.

The Committee considered the suggested terms for lease of the structure as proposed by Alderman Ford and noted that any society that agrees to the guidelines contained in the terms of lease will have a period of six months to conform to the requirements, including providing evidence of management and financial capability to carry out the necessary renovations.

There was further discussion on whether City Council should put up the necessary funds for the renovations, but it was felt that the City could wait at least for six months to determine if any community user group may be able to acquire the necessary funding.

Following discussion, it was

RECOMMENDED

THAT Council adopt the following terms for the lease of Jericho Hangar No. 5:

- a) User group must be non-profit, non-sectarian society with a broadly based membership.
- b) The society must be prepared to operate Hangar #5 as a multi-purpose summer pavilion open to the public under reasonable conditions and to conform to the Deed requiring use for Park purposes.
- c) The society must provide evidence of management and financial capability to carry out necessary renovations to satisfy City and Provincial codes and by-laws.
- d) The initial lease to be for five years with renewal clause.
- e) A society that agrees to the above guidelines shall have a period of six months to conform to the requirements.
- f) Other details of funding and operating to be negotiated.

The meeting adjourned at approximately 2:40 P.M.